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2007/010

APR 22 2008

Serial No.: 10/521,125  
Group Art Unit: 2617  
Examiner: Ajibade Akonai OlumideREMARKS

Claims 16-20 and 25-27 remain in this application with claims 16 and 25 being independent claims.

In The Claims

In the present official action, independent claims 16 and 25 were rejected under 35 USC 103(a) as being unpatentable over Jain et al. (6,987,751) in view of Uchida et al (7,072,359). Applicants respectfully traverse the rejection and assert that neither Jain nor Uchida, whether taken alone or in any reasonable combination, teach, disclose, or render obvious the present invention. In particular, the present invention claims "inserting, by the switch, the information into a CDMA message" (see claim 16) and "wherein the switch...inserts the information " (see claim 25).

However, this is not what is disclosed or taught in either Jain or Uchida. The Examiner admits that Jain does not "disclose inserting the information received from a GSM network into a CDMA message" (Office Action, page 3, 1<sup>st</sup> full paragraph).

Although Uchida does disclose short message conversion between different formats for wireless communication systems, this is not performed by a "switch" as is presently claimed, but rather at the IIF (an inter-working and interoperability function).

The IIF as illustrated in Figure 1 of Uchida is comprised of many parts, including message centers (112) which are responsible for storing, relaying, and forwarding short messages for mobile stations; mobile switching centers (114) which perform switching functions; GSM SMS service centers (122); GSM MSCs (124); GSM SMS gateway (126) and GSM SMS IWMSC (128) (Uchida, column 3, line 35 through column 4, line 9).

What Uchida fails to disclose or teach is which of these elements actually performs the "inserting...the information into a CDMA message". As the Examiner points out, in Uchida, the steps of converting a GSM SMS message to a CDMA SMS message, is disclosed at column 6 lines 43-62. However, Uchida only states that an "inter-working and interoperability function (IIF) would then perform the conversion of the GSM SMS message to the CDMA SMS message" (Uchida, column 6, lines 49-51). It fails to set forth which of the many elements of the

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IIF is actually performing this function, nor does it suggest it anywhere. So to say that a "switch" is performing this function based upon the Uchida disclosure is unfounded.

As none of the cited references, whether taken alone or in any reasonable combination teach, disclose, or render obvious the present invention, Applicants respectfully assert that claims 16 and 25 are patentable over the cited references.

Regarding the rejections of claims 17-20, as these claims depend either directly or indirectly from independent claim 16, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to independent claim 16, Applicants respectfully assert that these claims are also patentable over the cited references.

Regarding the rejections of claims 26 and 27, as these claims depend either directly or indirectly from independent claim 25, and therefore incorporate all the limitations therein, for the reasons set forth above with respect to independent claim 25, Applicants respectfully assert that these claims are also patentable over the cited references.

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CONCLUSION

For the above reasons, the foregoing amendment places the Application in condition for allowance. Therefore, it is respectfully requested that the rejection of the claims be withdrawn and full allowance granted. Should the Examiner have any further comments or suggestions, please contact the undersigned at 512-306-8533.

Respectfully submitted,

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